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DOCUMENT  
ELECTRONICALLY FILED

DOC #:

DATE FILED: 5/23/07

May 17, 2007

By Telecopy

The Honorable John G. Koeltl  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

*Under Seal*  
The attachment, p. 62 of Ex. 4,  
should be sealed immediately.  
So ordered.  
5/17/07 JGK/koeltl

Re: Theodore Itzkowitz v. Israel Discount Bank of New York, et al. 07 CV 3783 U.S.D.S.

Dear Judge Koeltl:

*(A copy with the attachment is separately*

This firm represents the defendants in the above-referenced action. I am writing to request emergency relief from the Court immediately to seal an attachment to the Complaint that plaintiff filed earlier this week. Plaintiff has annexed to his Complaint an attachment (at page 62 of Exhibit 4 to the Complaint) a list of former and existing employees of Israel Discount Bank of New York ("IDBNY"), and identifying for each the applicable social security number and an amount of supplemental annual retirement allowance. IDBNY believes that this filing violates this Court's rules regarding Privacy and Public Access to Electronic Civil and Criminal Case Files.

We understand that the Complaint with the offending attachment has not yet been uploaded to the Court's public access site. We respectfully request that the Court delay the uploading of this document to the public site until we have the opportunity to file the appropriate motion addressing this issue.

I notified plaintiff's counsel, Eve Rachel Markewich, by voicemail last night that defendants were very concerned about this breach of privacy for these individuals. She responded by email that she is on trial and that defendants should "redact the document." This morning, I reached her partner, Lawrence Rosenstock by telephone, and informed him of my intent to request this emergency relief from the Court. He indicated that he would attempt to reach Ms. Markewich to advise her of this situation. I called Mr. Rosenstock back after speaking to your courtroom deputy, Mr. Fletcher, to ask him whether or not he consents to my requested relief. I was not able to reach him but I left him a voicemail asking him to return my call promptly to advise me of his client's position. He has not yet returned my call.

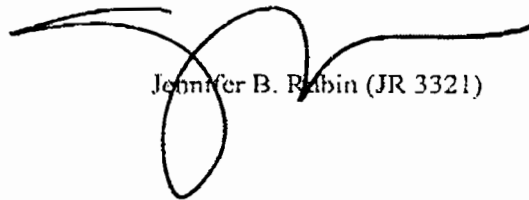
Mintz, Levin, Cohn, Ferris, Glowsky and Popeo, P.C.

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I can be reached today in my Connecticut office at (203) 252-2694 if the Court would like additional information or if the Court wishes to confer about this situation. I have attached hereto, for the Court's convenience, the offending attachment.

Respectfully,

A handwritten signature in black ink, appearing to be "Jennifer B. Rabin", with a large, stylized loop at the end.

Jennifer B. Rabin (JR 3321)

Enclosure

cc: By simultaneous telecopy  
Eve Rachel Markewich, Esq.  
Lawrence Rosenstock, Esq.  
Counsel for Plaintiff

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